

Applicant : Kenneth Vecchio
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Attorney's Docket No.: 15670-
032002 / SD1998-065-2

REMARKS

This response is filed to respond to the Notice of Non-Compliant Response mailed on August 11, 2005 and to correct the listing of claims in the prior response filed along with a petition to revive on August 27, 2004.

1. Status of Application

This application was previously handled by attorney William Fuess and became inadvertently abandoned for not timely responding to an outstanding office action dated November 1, 2002. On August 27, 2004, Applicant petitioned for reviving the application due to unintentional abandonment under 37 CFR §1.137(b) and the Patent Office subsequently granted the petition in an official decision mailed on June 14, 2005. This application is now revived and pending.

2. Response to Office Action dated November 1, 2002

As an initial matter, Applicant gratefully acknowledges the examiner's indication in the office action that various of the pending claims are patentable over the cited prior art and would be allowable if suggested defects in these claims are corrected. In response, the claims have been amended according to the examiner's suggestions in the office action in order to place

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the application in condition for allowance. The details of the claim amendments are as follows.

Claim 1 has been amended in two aspects. First, the claim language has been amended to provide proper antecedence basis and to eliminate the confusion pointed out by the examiner to overcome the rejection under 35 USC §112, second paragraph. Hence, the rejection under 35 USC §112, second paragraph should be withdrawn. Secondly, Claim 1 has been amended to include all features recited in Claim 12 which is indicated to be allowable by the examiner and has now been canceled in view of this amendment to Claim 1. Since Claim 12 is patentable over the cited prior art, amended Claim 1 is also patentable and thus the rejection under 35 USC §102(b) over cited Liebowitz, Giolitti, Rosenthal, respectively, has been obviated. Therefore, amended Claim 1 is patentable and is condition for allowance.

Claim 2 has been amended to provide proper antecedence basis and to eliminate the confusion pointed out by the examiner to overcome the rejection under 35 USC §112, second paragraph. Hence, the amended Claim 2 is now patentable and is condition for allowance.

Dependent Claim 3 has been amended to correct typographical errors and to ensure the proper antecedence basis. Amended

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Claim 3 is now patentable and is condition for allowance in view of the amendments to its base Claims 1 and 2.

Claim 4 stands rejected under 35 USC §112, second paragraph and under 35 USC §103(a) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claim 4 is now patentable and in condition for allowance.

Claim 5 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. In addition, Claim 5 has been amended to correct a typographical error. Therefore, Claim 5 is now patentable and in condition for allowance.

Claim 6 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. In addition, Claim 6 has been amended to correct a typographical error. Therefore, Claim 6 is now patentable and in condition for allowance.

Claim 7 stands rejected under 35 USC §112, second paragraph but is allowable. Due to amendments to Claims 1 and 2, Claim 7 is now patentable and in condition for allowance.

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Claim 8 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over each of Liebowitz, Giolitti and Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claim 8 is now patentable and in condition for allowance.

Claim 9 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over each of Liebowitz, Giolitti and Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claim 9 is now patentable and in condition for allowance.

Claim 10 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claim 10 is now patentable and in condition for allowance.

Claims 11 and 12 have been canceled to obviate rejections and in view of the amendment to Claim 1.

Claim 13 stands rejected under 35 USC §112, second paragraph but is allowable. Due to amendments to Claims 1 and 2 and amendments to Claim 13, Claim 13 is now patentable and in condition for allowance.

Claim 14 has been canceled to obviate rejections.

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Claim 16 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claim 16 is now patentable and in condition for allowance.

Claim 17 has been canceled to obviate the rejection.

Claims 18 and 19 stand rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claims 18 and 19 are now patentable and in condition for allowance.

Claims 21 and 22 stand rejected under 35 USC §112, second paragraph but are allowable. Due to amendments to Claims 1 and 2 and to Claims 21 and 22, Claims 21 and 22 are now patentable and in condition for allowance.

Claims 23 and 24 stand rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over each of Liebowitz, Giolitti and Rosenthal. However, the amendments to Claims 1 and 2 and to Claim 22 have obviated the rejections. Therefore, Claims 23 and 24 are now patentable and in condition for allowance.

Claim 25 and 26 stand rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over Rosenthal. However, the

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amendments to Claims 1 and 2 have obviated the rejections.

Therefore, Claims 25 and 26 are now patentable and in condition for allowance.

Claims 27-29 stand rejected under 35 USC §112, second paragraph but are allowable. Due to amendments to Claims 1 and 2, Claims 27-29 are now patentable and in condition for allowance.

Claims 41 and 42 stand rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over each of Liebowitz, Giolitti and Rosenthal. However, the amendments to Claims 1 and 2 have obviated the rejections. Therefore, Claims 41 and 42 are now patentable and in condition for allowance.

Claim 43 stands rejected under 35 USC §112, second paragraph and under 35 USC §102(b) over each of Liebowitz, Giolitti and Rosenthal. However, the amendments to Claims 1 and 2 and the amendment to Claim 43 have obviated the rejections. Therefore, Claim 43 is now patentable and in condition for allowance.

The application as originally filed did not have Claims 15 and 20. Applicant requests the examiner to renumber the pending claims as needed.

In addition, new independent Claims 50-53 have been added. These claims are essentially independent claims that are

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respectively rewritten from allowable dependent Claim 7 that is dependent on Claim 1, allowable dependent Claim 13 that is dependent on Claim 1, allowable dependent Claim 21 that is dependent on Claim 1, and allowable dependent Claim 22 that is dependent on Claim 1.

Furthermore, the title has been amended to better reflect the current pending claims upon entry of the above amendments.

Each of the above amendments and new claims is fully supported by the original specification and thus does not add new matter.

In summary, each of the objections and rejections raised in the office action dated November 1, 2002 has been overcome or obviated. All pending claims are therefore in full condition for allowance. There are no other outstanding issues in the application as amended above. Hence, the application is in full condition for allowance.

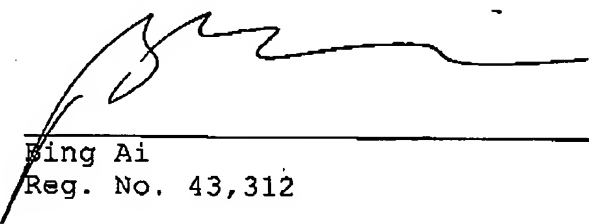
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A fee of \$86.00 for excess claim fees was paid in the prior response filed on August 27, 2004. Please charge a fee of extension of time for one month and any other charges or credits to Deposit Account No. 06 1050.

Respectfully submitted,

Date: September 23, 2005


Bing Ai
Reg. No. 43,312

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

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